

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

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|-------------------------------------|---|---------------------------|
| JESSICA JONES, MICHELLE VELOTTA, |) | |
| and CHRISTINA LORENZEN on Behalf of |) | |
| Themselves and All Others Similarly |) | |
| Situated, |) | |
| Plaintiffs, |) | |
| v. |) | |
| VARSITY BRANDS, LLC; VARSITY |) | No. 2:20-cv-02892-SHL-cgc |
| SPIRIT, LLC; VARSITY SPIRIT FASHION |) | |
| & SUPPLIES, LCC; U.S. ALL STAR |) | |
| FEDERATION, INC; JEFF WEBB; |) | |
| CHARLESBANK CAPITAL PARTNERS |) | |
| LLC; and BAIN CAPITAL PRIVATE |) | |
| EQUITY, |) | |
| Defendants. |) | |

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO EXTEND
FILING DEADLINE**

Before the Court are Plaintiffs Jessica Jones, Michelle Velotta, and Christina Lorenzen's Motion for Leave to Extend the Filing Deadline, (ECF No. 99), and Defendants Varsity Brands, LLC, Varsity Spirit, LLC, Varsity Spirit Fashions & Supplies, LLC, Charlesbank Capital Partners, LLC, Jeff Webb, and Bain Capital Private Equity, LP's (collectively, "Varsity Defendants") Response to Plaintiff's Motion. (ECF No. 105.)

Plaintiffs seek to extend this filing deadline by 24 hours, from the original deadline of September 17, 2021 at 11:59 p.m. to September 18, 2021, at 11:59 p.m., to permit them to file four Motions to Compel. However, Plaintiffs did not file this Motion for Leave to Extend until September 18, 2021 – several hours after the initial deadline for these non-dispositive motions passed.

In support of their Motion, Plaintiffs state that they encountered several “unexpected staffing, health, logistical, and technical issues,” preventing their timely filing. In response, Defendants contend that not only did Plaintiffs file this Motion one day after the deadline on September 18, 2021, but they did not contact Defendants until that day as well. Further, Defendants argue that the motions to compel that were filed subsequent to this Motion, (ECF Nos. 100-103), “seek myriad irrelevant, duplicative, unduly burdensome discovery.” (ECF No. 105.)

Federal Rule of Civil Procedure 16 requires that parties follow a scheduling order unless good cause is shown to grant relief. Fed. R. Civ. Pro. 16(b)(4). The Court understands Plaintiffs’ issues showing cause, including staffing, health, logistical, and technical issues. However, it is hard to believe that none of these issues were contemplated at least a few days before the actual deadline.

Despite the delay, the request for an extension of only 24 hours leads the Court to allow the extension only under this limited circumstance. Thus, finding good cause, the Court **GRANTS** the Motion and extends the deadline for these aforementioned non-dispositive motions to **September 18, 2021**. The Court will not accept any other late requests for extensions from Plaintiffs, even by “just” 24 hours.

IT IS SO ORDERED, this 20th day of September, 2021.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE